

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
August 1, 2003**

No Minutes for August 1, 2003.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
August 4, 2003**

No Minutes for August 4, 2003.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
August 5, 2003**

Court convened at 8:30am

Panel 1  
Present:  
Hollenhorst, Acting P.J.  
McKinster, J.  
Gaut, J.  
Ann Dee Smith, Deputy Clerk

**E032631      Mark J. Paquet et al. v. Wells Fargo Bank et al.**

Merits. Cause called and Charles H. Smith, Esq., argued for appellant; Daniel J. Doonan, argued for respondent. Cause submitted.

**E033603      Garry C. v. Superior Court; Department of Public Social Services**

Merits. Cause called and Darrell K. Moore, Esq., argued for petitioner and Julie A. Koons, Deputy County Counsel, argued for real party in interest. Cause submitted.

Court recessed.  
Court reconvened.

Panel 1a  
Present:  
Ramirez, P.J.  
Hollenhorst, J.  
Gaut, J.  
Ann Dee Smith, Deputy Clerk

**E031661      People v. Walter Talbert**

Merits. Cause called and Daniel G. Koryn, Esq., not present, counsel for appellant waived oral argument; Tami F. Hennick, Deputy Attorney General, argued for respondent. Cause submitted.

**E031621      People v. Lawrence Prince**

Merits. Cause called and Paul R. Ward, Esq., argued for appellant; Gil P. Gonzalez, Deputy Attorney General, argued for respondent. Cause submitted.

**E030830      People v. Johnny Joe Haro et al.**

Merits. Cause called and Martha L. McGill, Esq., argued for appellant Haro, Christine Vento, Esq., argued for appellant Ferguson; Matthew Mulford, Deputy Attorney General, argued for respondent. Cause submitted.

**E031437      People v. Paul Seong Chul Yum**

Merits. Cause called and Russell S. Babcock, Esq., argued for appellant; Steven T. Oetting, Deputy Attorney General, argued for respondent. Cause submitted.

**E032585      Michael D. Freeman v. Wal-Mart Stores, Inc.**

Merits. Cause called and Michael S. Geller, Esq., argued for appellant; Richard P. Levy, Esq., argued for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30pm

Panel 2

Present:

Hollenhorst, Acting P.J.

Richli, J.

Gaut, J.

Steve McElroy, Deputy Clerk

**E032112      In re C.C., a Person Coming Under the Juvenile Court Law  
Department of Public Social Services v. B.C.; C.C.**

Merits. Cause called and Richard Pfeiffer, Esq., argued for respondent; Julie A. Koons, Deputy County Counsel argued for respondent Department of Public Social Services. No appearance for minor appellant. Cause submitted.

Court recessed.

Court reconvened.

Panel 2a

Present:

Hollenhorst, Acting P.J.

Richli, J.

King, J.

Steve McElroy, Deputy Clerk

**E031318      People v. Ruben Anthony White**

Merits. Cause called and Paul R. Ward, Esq., argued for appellant; Randall Einhorn, Deputy Attorney General, argued for respondent. Cause submitted.

**E031983      In re Phillip F., a Person Coming Under the Juvenile Court Law:  
People v. Phillip F.**

Merits. Cause called and Edward A. Hoffman, Esq., argued for appellant; David Delgado-Rucci, Deputy Attorney General, argued for respondent. Cause submitted.

**E032790      People v. Emile Joseph Racine**

Merits. Cause called and Benjamin P. Wasserman, Esq., argued for appellant; William M. Wood, Deputy Attorney General, argued for respondent. Cause submitted.

**E030906      People v. Robert Edward Baldasaro et al.**

Merits. Cause called and Stephen Gilbert, Esq., argued for appellant Baldasaro; David J. Macher, Esq., argued for appellant Baugh; Karl T. Terp, Deputy Attorney General, argued for respondent. Cause submitted.

**E031671      People v. Elias Gonzales Escobar**

Merits. Cause called and Stephen M. Lathrop, Esq., argued for appellant; Randall D. Einhorn, Deputy Attorney General, argued for respondent. Cause submitted.

**E032132      Satwant Grewal v. Harjit Grewal**

Merits. Cause called and Gary A. Imburg, Esq., argued for appellant; Mickey L. Walker, Esq., argued for respondent. Cause submitted.

Court recessed.

**E031900      Nick Kanian v. City of Fontana**

Appellant's petition for rehearing is denied.

**E032952      In re Stephanie M., a Person Coming Under the Juvenile Court Law.  
Department of Public Social Services v. Mara C.**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., Gaut, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
August 6, 2003**

Court convened at 8:30am

Present:

Ramirez, P. J.

Hollenhorst, J.

Richli, J.

Madeline Mozee, Deputy Clerk

**E032188/E032849 Perez Images, Inc. et al. v. Valley Adult Books, LLC et al**

Merits. Cause called and Roger J. Diamond, Esq., argued for appellant; Clyde F. Dewitt, Esq., argued for respondent Perez Images, Inc. and Toni Eggebraaten, Esq., argued for respondent City of Cathedral City. Cause submitted.

Court recessed.

Court reconvened.

Present:

Ramirez, P. J.

Richli, J.

King, J.

Madeline Mozee, Deputy Clerk

**E032127 Prize Frize, Inc. v. Xavier Castro et al**

Merits. Cause called and George McGill, Esq., argued for appellant; Barry G. Kaiman, Esq., argued for respondent Mirco Technology, Inc. Cause submitted.

**E032372 Marriage of Valerie Hall and Richard D. Hall**

Merits. Cause called and Richard D. Hall, argued as appellant in pro per; Valerie Hall argued as respondent in pro per. Cause submitted.

**E032460 Jeurgen Stengel v. Charles Crumley**

Merits. Cause called and Jeurgen Stengel, argued as appellant in pro per; no appearance made by respondent. Cause submitted.

**E031845 Charles Weinkauff v. Neil Burack**

Counsel advised the Court by telephone that the matter settled, and waived oral argument in the above entitled cause. The calendar date heretofore set is vacated and cause is submitted.

**E032530 Kathy A. Salyards v. Mildred A. Hart**

Merits. Cause called and Patricia J. Wilkinson, Esq., argued for appellant; Ray H. Shatzer, Esq., argued for respondent. Cause submitted.

Court adjourned.

**E033368 In re Amanda B., a Person Coming Under the Juvenile Court Law  
Department of Children's Services v. Becky J.**

**Opinion**

Judgment affirmed.

King, J.

We concur: McKinster, Acting P.J., Gaut, J.

**E030085 Richard Barton v. Alexander Hamilton Life Insurance Company  
of America.**

Petition for rehearing denied.

It is ordered that said opinion filed July 10, 2003, be certified for partial publication,

pursuant to California Rules of Court, rule 976.

Hollenhorst, Acting P.J.

We concur: Richli, J., King, J.



**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
August 7, 2003**

No Minutes for August 7, 2003.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
August 8, 2003**

**E031671      People v. Elias Gonzales Escobar**

**Opinion**

Judgment affirmed.

King, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

**E032790      People v. Emile Joseph Racine**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., King, J.

**E032112\*      In re C.C., a Person Coming Under the Juvenile Court Law.  
Department of Public Social Services v. B.C.; C.C.**

**Opinion**

Judgment reversed.

Richli, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

\*CERTIFIED FOR PUBLICATION

**E032132      In re the Marriage of Satwant and Harjit Grewal.  
Satwant Grewal v. Harjit Grewal**

**Opinion**

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Richli, J., King, J.

**E031983      In re Phillip F., a Person Coming Under the Juvenile Court Law.  
People v. Phillip F.**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., King, J.

**E030906      People v. Robert Edward Baldasaro et al.**

**Opinion**

Judgments affirmed.

King, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

**E031318      People v. Ruben Anthony White**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., King, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
August 11, 2003**

No Minutes for August 11, 2003.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
August 12, 2003**

**E031801      People v. Steven Gordon**

**Opinion**

Judgment affirmed.

King, J.

We concur: McKinster, Acting P.J., Ward, J.

**E032938      In re Michael M., a Person Coming Under the Juvenile Court Law.  
The People v. Michael M.**

**Opinion**

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: McKinster, J., Ward, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
August 13, 2003**

**E032239      People v. Albert V. Segobia III**

**Opinion**

Judgement affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

**E031509      People v. Ramon Villalobos**

**Opinion**

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Richli, J., Ward, J.

**E033557      In re Cody T., a Person Coming Under the Juvenile Court Law;  
Department of Children's Services v. Bobbi C.**

**Opinion**

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: McKinster, J., Ward, J.

**E031954      People v. Ray Allen Dale**

**Opinion**

Judgment affirmed with directions.

Hollenhorst, Acting P.J.

We concur: McKinster, J., Ward, J.

**E032071      In re John J., a Person Coming Under the Juvenile Court Law  
People v. John J.**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: McKinster, Acting P.J., Ward, J.

**E032674      People v. Lilliana Marina Saenz**

**Opinion**

Judgment affirmed.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

**E031370      People v. Craig Alan Turner**

**Opinion**

Judgment affirmed.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
August 14, 2003**

**E033703      Victoria P. v. Superior Court; Department of  
Opinion**

**Children's Services**

Petition denied.

Hollenhorst, Acting P.J.

We concur: McKinster, J., Ward, J.

**E033613      In re Angelica H., a Person Coming Under the Juvenile Court Law.  
Department of Children's Services v. Luzita P.**

**Opinion**

Judgment affirmed.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

**E032033      People v. Daniel Eric Adelizzi**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., Ward, J.



**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
August 15, 2003**

**E031925      People v. Michael Demetrius Roman**

**Opinion**

Judgment affirmed.

Ward, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

**E032363      In re Arturo S., a Person Coming Under the Juvenile Court Law.**

**People v. Arturo S.**

Petition for rehearing granted.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
August 18, 2003**

**E032631      Mark J. Paquet et al. v. Wells Fargo Bank et al.**

**Opinion**

Judgment reversed with directions.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

**E033365      In re M.P., a Person Coming Under the Juvenile Court Law.  
Department of Children's Services v. Ester P.**

**Opinion**

Judgment reversed with directions.

Ward, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

**E033231      People v. Durlene O. Westfall et al.**

**E034207\*      People v. Thomas A. Timney, II**

Consolidated for purposes of one record, briefing, oral argument and decision.

Case number E033231 is designated the master file.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
August 19, 2003**

No Minutes for August 19, 2003.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
August 20, 2003**

**E031621      People v. Lawrence Prince**

**Opinion**

Judgment affirmed with modifications.

Hollenhorst, J.

We concur: Ramirez, P.J., Gaut, J.

**E032734      People v. Martin Perry Dixon**

**Opinion**

Judgment affirmed.

Ramirez, P.J.

We concur: Richli, J., Gaut, J.

**E032706      People v. Todd Vincent Davie**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., Gaut, J.

**E032460      Jeurgen Stengel v. Charles Crumley, Jr.**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., King, J.

**E032530      Kathy A. Salyards v. Mildred A. Hart**

**Opinion**

Judgment affirmed.

King, J.

We concur: Ramirez, P.J., Richli, J.

**E032424      People v. Darnell Eugene Eaves**

**Opinion**

Judgment affirmed with directions.

Richli, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

**E032681      In re Sean R., a Person Coming Under the Juvenile Court Law**

**People v. Sean R.**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., Gaut, J.

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**E032127 Prize Frize, Inc. v. Xavier Castro et al.**

**Opinion**

Judgment reversed.

Ramirez, P.J.

We concur: Richli, J., King, J.

**E031875\* People v. Marcos Murrillo Hernandez**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., Gaut, J.

\*CERTIFIED FOR PARTIAL PUBLICATION

**E033243 In re Ralph B., a Person Coming Under the Juvenile Court Law.  
People v. Ralph B.**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., Gaut, J.

**E032162 People v. Steven James Levy et al.**

**Opinion**

Judgment affirmed with directions.

Ramirez, P.J.

We concur: Richli, J., Gaut, J.

**E032907 People v. Troy Lyn Flanary**

**Opinion**

Judgment affirmed.

Ramirez, P.J.

We concur: Richli, J., Gaut, J.

**E032865      People v. Johnny Deshann Dodd**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., Gaut, J.

**E032995\*      Patricia Baker-Hoey et al. v. Lockheed Martin Corporation**

**Opinion**

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., Gaut, J.

\*CERTIFIED FOR PUBLICATION

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
August 21, 2003**

**E032669      In re Jasmine R., a Person Coming Under the Juvenile Court Law.  
Department of Public Social Services v. Valerie R.**

**Opinion**

Reversed as to the act of cruelty.

Ward, J.

We concur: McKinster, Acting P.J., Gaut, J.

**E031945      People v. Ruben John Cabral**

**Opinion**

Judgment affirmed.

Ward, J.

We concur: Hollenhorst, Acting P.J., McKinster, J.

**E032501      People v. Mark Eugene Lester**

**Opinion**

Judgment affirmed.

Ward, J.

We concur: Hollenhorst, Acting P.J., McKinster, J.

**E032372      In re the Marriage of Valerie and Richard Douglas Hall.  
Valerie Hall v. Richard Douglas Hall**

**Opinion**

Judgment affirmed.

Ramirez, P.J.

We concur: Richli, J., King, J.

**E032403      People v. Duwayne M. Jackson**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., Gaut, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
August 22, 2003**

**E031562\* Paula M. Green v. Par Pools, Inc.**

**Opinion**

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: McKinster, J., Gaut, J.

\*CERTIFIED FOR PUBLICATION

**E032866 People v. Richard Anthony Maquinales**

**Opinion**

Judgment affirmed as modified.

Richli, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

**E033781 William T. v. Superior Court; Department of  
Children's Services**

**Opinion**

Petition denied.

Ward, J.

We concur: McKinster, Acting P.J., King, J.

**E032188\* Perez Images, Inc. et al. v. Valley Adult Books, LLC et al.**

**Opinion**

**E032849\* City of Cathedral City v. Valley Adult Books, LLC et al.**

Judgments affirmed.

Richli, J.

We concur: Ramirez, P.J., Hollenhorst, J.

\*Consolidated for oral argument and decision.

**E031728 People v. Bennie Ervin Harris**

**Opinion**

Judgment affirmed.

Ramirez, P.J.

We concur: Richli, J., Gaut, J.

**E032508 People v. Lorraine Ann Shields**

**Opinion**

Judgment affirmed as modified.



Richli, J.  
We concur: Ramirez, P.J., Gaut, J.

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**E032392      Manuel Haro v. County of Riverside; Ifran Qazi et al.  
v. County of Riverside**

**Opinion**  
Judgment affirmed.  
Gaut, J.  
We concur: Ramirez, P.J., Hollenhorst, J.

**E033036      Alpha Fund v. Marsha Ciniello-Brislin**

**Opinion**  
Judgment affirmed.  
Ramirez, P.J.  
We concur: Hollenhorst, J., Gaut, J.

**E032856      In re Brittany H. et al., Persons Coming Under the Juvenile Court  
Law.**

**Department of Children's Services v. Clarence H.**  
**Opinion**  
Judgment affirmed.  
Gaut, J.  
We concur: McKinster, Acting P.J., King, J.

**E032824      In re Joseph M. et al., Persons Coming Under the Juvenile Court  
Law:**

**Department of Children's Services v. John M.**  
**Opinion**  
Judgment affirmed.  
Gaut, J.  
We concur: Ramirez, P.J., Richli, J.

**E033268      People v. Ruben Ybarra**

**Opinion**  
Judgment affirmed.  
Richli, J.  
We concur: Ramirez, P.J., Gaut, J.

**E031437      People v. Paul Seong Chul Yum**

**Opinion**  
Judgment affirmed.

Gaut, J.  
We concur: Ramirez, P.J., Hollenhorst, J.  
\*CERTIFIED FOR PARTIAL PUBLICATION

**E032234      People v. Carl G. Blossomgame**

**Opinion**

Judgment affirmed and remanded with directions.

Gaut, J.

We concur: Ramirez, P.J., Richli, J.

**E032359      People v. Alex Arechiga**

**Opinion**

Judgment affirmed in part, reverse in part.

Richli, J.

We concur: Ramirez, P.J., Gaut, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
August 25, 2003**

**E031985      Toyin Dawodu v. Elizabeth Lozano et al.**

**Opinion**

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., Hollenhorst, J.

**E031895      Citizens for the Clean Air of the Desert v. City of Cathedral City et al.**

Judgment affirmed.

**Opinion**

Gaut, J.

We concur: Ramirez, P.J., Hollenhorst, J.

**E032585\*      Michael D. Freeman v. Wal-Mart Stores, Inc.**

**Opinion**

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., Hollenhorst, J.

**\*CERTIFIED FOR PUBLICATION**

**E032503      Neil Crowley et al. v. MS Temecula LLC et al.**

**Opinion**

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., Hollenhorst, J.

**E031845      Charles Weinkauff v. Neil Burack**

**Opinion**

Judgment affirmed.

King, J.

We concur: Ramirez, P.J., Richli, J.

**E033603      Garry C. v. Superior Court; Department of Public Social Services**

Petition Denied.

**Opinion**

McKinster, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

**E0305108\*    Alfredo A. Figueroa et al. v. California Energy Resources  
Conservation**

**and Development Commission; Blythe Energy, LLC etc.**

No change in judgment. Petition for rehearing denied.    **Modification of**

**Opinion**

Ward, J.

We concur: Ramirez, P.J., Hollenhorst, J.

\*CERTIFIED FOR PUBLICATION

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
August 26, 2003**

**E032601      People v. Billy Tyrone McWilliams**

**Opinion**

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., Richli, J.

**E034015      Pacifica Escondido et al. v. Superior Court; Karen Killgore et al.**

Real Party in Interest, Karen Killgore's petition for rehearing is denied.

**E032241      People v. Roy Lee Lesner**

**Opinion Upon**

**Remand**

Judgment reversed.

Richli, J.

We concur: Ramirez, P.J., King, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
August 27, 2003**

**E032249      Dana L. Webb v. Joan E. Louw**

**Opinion**

Judgment affirmed in part, reversed in part.

Ward, J.

We concur: Ramirez, P.J., McKinster, J.

**E031542      The People v. Jose Rogelio Ibarra**

Respondent's petition for rehearing is denied.

Appellant's petition for rehearing is granted.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
August 28, 2003**

**E032773      City of San Jacinto v. Eastern Municipal Water Dist.;**

**Opinion**

**Brian Noble**

Judgment reversed with directions.

McKinster, Acting P.J.

We concur: Richli, J., Ward, J.

**E032673      Debra West v. Ogden Parks-Riverside, Inc.**

**Opinion**

Judgment affirmed.

McKinster, Acting P.J.

We concur: Richli, J., Ward, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
August 29, 2003**

**E033117      Vince LaPorte v. Selma Harris et al.**

**Opinion**

Judgment affirmed.

King, J.

We concur: McKinster, Acting P.J., Ward, J.

**E033465      People v. Michael S. Lainez**

**Opinion**

Judgment affirmed.

Richli, Acting P.J.

We concur: Ward, J., Gaut, J.